

REMARKS

Applicants hereby amend independent claims 10 and 19 without prejudice. Applicants submit that no new matter has been added. Support for the amendments to the claims can be found throughout the originally-filed claims, specification and figures, and at least at pages 8-10 and FIGS. 1-2 and 18-20.

Claims 1-19 are pending in this application. Claims 1-9 and 16-18 have been withdrawn from consideration. As such, claims 10-15 and 19 are presented for reconsideration.

Claims 10 and 19 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,876,417 to Devonec, *et al.* (“Devonec”). Claims 11 and 12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Devonec in view of U.S. Patent No. 4,973,301 to Nissenkorn (“Nissenkorn”). Also, claims 11 and 12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Devonec in view of U.S. Patent No. 6,033,413 to Mikus, *et al* (“Mikus”). In addition, claims 13-15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Devonec in view of U.S. Patent No. 6,238,430 to Klumb, *et al* (“Klumb”).

Applicants respectfully traverse these rejections and request reconsideration of the claims in light of the amendments and the following remarks. Each of the outstanding rejections is addressed in the order in which they appear in the Office action.

*35 U.S.C. §102(e)*

Claims 10 and 19 are rejected under 35 U.S.C. § 102(e) over Devonec. Amended independent claims 10 and 19 recite a single connecting segment comprising a single elongated body member. Devonec fails to teach or suggest a “single connecting segment comprising a single elongated member.” Instead, Devonec appears to disclose a urethral catheter that has at

least two elements (connection means 14 and tube 7) forming a connecting segment including a distal end located outside of a patient's body. See, for example, Col. 4, line 30 to Col. 5, line 8, and FIGS. 1-3 of Devonec. Nothing in Devonec teaches or suggests a single connecting segment comprising a single elongated member including a distal terminating end located outside of a patient's body. For at least this reason, Applicants submit that amended independent claims 10 and 19 are patentable over Devonec. As such, Applicants respectfully request reconsideration and withdrawal of this rejection.

*35 U.S.C. § 103(a)*

Claims 11 and 12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Devonec in view of Nissenkorn, and claims 11 and 12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Devonec in view of Mikus. In addition, claims 13-15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Devonec in view of Klumb. Claims 11-15 depend directly or indirectly from amended independent claim 10.

As previously discussed, amended independent claim 10 recites, in part, a "single connecting segment comprising a single elongated body member," which Devonec fails to teach or suggest. Applicants respectfully submit that each of Nissenkorn, Mikus, and Klumb fail to cure the deficiencies of Devonec with respect to amended independent claim 10.

For example, Nissenkorn appears to only disclose a unitary catheter for an indwelling implantation and an applicator for introducing the catheter. See, for example, FIGS. 1-6 and col. 2, lines 48-50 and col. 4, lines 17-36. In addition, Mikus appears to only disclose a stent delivery system catheter that has at least two components (*e.g.*, peel away sheath) that form a "connecting segment." See, for example, FIG. 2 and col. 3, lines 12-36. Furthermore, Klumb appears to only

disclose a catheter having "at least first and second telescoping shafts to which the prosthesis is engaged." See, for example, col. 2, lines 50-52.

Applicants, therefore, respectfully submit that neither Devonec, nor Nissenkorn, nor Mikus, nor Klumb, alone or in proper combination, provides the teaching or suggestion for one skilled in the art to arrive at a stent-catheter system comprising a "single connecting segment comprising a single elongated body member including a distal end located outside of a patient's body," as recited in amended independent claim 10. Because claims 11-15 depend either directly or indirectly from amended independent claim 10, and include all the limitations thereof, Applicants submit that claims 11-15 are also patentable as a matter of law, under 35 U.S.C. § 103(a) over the cited references. Accordingly, Applicants respectfully request reconsideration and withdrawal of these rejections.

### CONCLUSION

In view of the foregoing, Applicants respectfully request reconsideration, withdrawal of all grounds of rejection, and allowance of claims 10-15 and 19 in due course. The Examiner is invited to contact Applicants' undersigned representative by telephone at the number listed below to discuss any outstanding issues.

Respectfully submitted,

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